

## PART II - GENERAL FACILITY CONDITIONS

### II.A. DESIGN AND OPERATION OF FACILITY

The Permittee shall construct, maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned, sudden or non-sudden release of hazardous waste or hazardous constituents to air, soil, surface water, or groundwater which could threaten human health or the environment as required by 6 CCR 1007-3, §264.31.

### II.B. PROHIBITIONS

#### II.B.1. Hazardous Waste from Off-Site Sources

The Permittee is prohibited from receiving hazardous waste from off-site.

#### II.B.2. Hazardous Waste Imports

The Permittee is prohibited from receiving hazardous wastes from a foreign source.

#### II.B.3. Transfer of Ownership

The Permittee is prohibited from transferring ownership of the facility until closure has been certified complete by the Permittee and by an independent, qualified, Colorado-registered professional engineer.

### II.C. GENERAL WASTE ANALYSIS

The Permittee shall follow the waste analysis procedures required by 6 CCR 1007-3, §264.13, and those described in the Waste Analysis Plan, Permit Attachment 3. The Permittee shall also comply with the following requirements:

II.C.1. The method used to obtain a representative sample of the waste to be analyzed shall be the appropriate method from 6 CCR 1007-3, Part 261 Appendix I, or an equivalent method approved by the Director. Laboratory methods shall be those specified in the most current, approved version of Test Methods for Evaluating Solid Waste: Physical/Chemical Methods SW-846, Standard Methods of Wastewater Analysis, or an equivalent method which shall be specified in the Waste Analysis Plan, Permit Attachment 3.

II.C.2. As part of its quality assurance program, the Permittee shall verify the analysis of each waste stream as necessary to ensure that it is accurate and up to date, in accordance with methods specified in Test Methods for Evaluating Solid Waste: Physical/Chemical Methods SW-846, or an equivalent method which shall be specified in the Waste Analysis Plan, Permit Attachment 3.

II.C.3. At a minimum, the Permittee must maintain the appropriate functional instruments, use approved sampling and analytical methods, verify the validity of sampling and analytical procedures, and perform correct calculations. If the

Permittee uses a contract laboratory to perform analyses, the Permittee must inform the laboratory in writing that it must operate under the waste analysis conditions set forth in this Permit. The Permittee must keep a copy of this written notice as part of the operating record.

#### II.D. SECURITY

- II.D.1. The Permittee must comply with the security provisions of 6 CCR 1007-3, §264.14, and Procedures to Prevent Hazards, Permit Attachment 2.
- II.D.2. The Permittee must prevent the unknowing entry and minimize the possibility for unauthorized entry, of persons or livestock onto the active portion of the Facility. [6 CCR 1007-3 §264.14(a)]
- II.D.3. The Permittee shall control entry at all times through fences, gates, doors, and other entrances to the Facility. During non-operating hours, the Permittee will ensure compliance with 264.14(b)(1) or (2) to prevent unknowing entry, and minimize the possibility for unauthorized entry, of persons or livestock onto the active portions of the facility. [6 CCR 1007-3 §264.14(b)]
- II.D.4. The Permittee shall maintain the fence surrounding the facility, including all secured gates to prevent unauthorized access. Entry to the Facility shall be controlled by security gates, and all entry into the Facility will be verified by security personnel. Any visitors to the Facility must obtain passes and be escorted by Facility personnel while inside the Facility. [6 CCR 1007-3 §264.14(b)]
- II.D.5. The Permittee shall maintain 24 hour surveillance of the Facility, ensuring security of Facility structures including but not limited to fences, gates, buildings, and roads. Compliance of this will be achieved with manned patrols conducted by Facility security forces. [6 CCR 1007-3 § 264.14(b)]
- II.D.6. The Permittee shall post and maintain warning signs at the entry gates and along the perimeter fence in sufficient number to be seen from any approach to the active portion of the facility and the signs shall be legible from a distance of at least 25 feet. [6 CCR 1007-3 §264.14(c)]

#### II.E. GENERAL INSPECTION REQUIREMENTS

- II.E.1. The Permittee must follow the inspection procedures required by 6 CCR 1007-3, §264.15, and those set out in Storage Area Inspections and Log Sheets, Permit Attachment 2.
- II.E.2. The corrective action taken shall be transcribed on or with the original Inspection Log on which an item was first noted as requiring correction. The Permittee must remedy any deterioration or malfunction discovered by an inspection to

ensure that the problem does not lead to an environmental or human health hazard. [6 CCR 1007-3, §264.15(c)]

- II.E.3. The Permittee must place completed inspection logs in an inspection book. Records of inspections shall be maintained as part of the operating record for at least three years from the date of the inspection. [6 CCR 1007-3, §264.15(d)]

## II.F. PERSONNEL TRAINING

- II.F.1. The Permittee must maintain qualified and competent personnel in key facility positions (such as management, supervisors, and waste management personnel).
- II.F.1.a. The Permittee shall conduct personnel training as specified in the Personnel Training Plan, Attachment 5 of this Permit and as required by 6 CCR 1007-3, Section 264.16.
- II.F.1.b. All persons involved in the handling of hazardous waste, even if only on an occasional basis, shall be trained in areas appropriate to their function.
- II.F.1.c. The Permittee shall maintain training documents and records as required by 6 CCR 1007-3, Sections 264.16(d) and (e).
- II.F.2. No employee assigned to the hazardous waste management facility shall be allowed to work without direct supervision until he or she has completed the training program. New personnel shall be required to complete the training program within six months of their assignment to the hazardous waste management areas.
- II.F.3. Facility personnel must take part in an annual review of the initial training required in Permit Condition II.F. and described in the Personnel Training Plan, Attachment 5. Annual training requirements must be completed within thirteen months of previous annual or initial training. [6 CCR 1007-3 §264.16(c)]
- II.F.4. The Permittee must maintain the following documents and records at the Facility:
- The job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job.
  - A written job description for each position listed in the Personnel Training Plan, Attachment 5. This description may be consistent in its degree of specificity with descriptions for other similar positions at the Facility, but must include the requisite skill, education, or other qualifications, and duties of employees assigned to each position.

- A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed in the Personnel Training Plan, Attachment 5.
- Records that document that the training or job experience required under Permit Condition II.F. has been given to, and successfully completed by, Facility personnel. [6 CCR 1007-3 §264.16(d)]

## II.G. SPECIAL PROVISIONS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE

- II.G.1. The Permittee must follow the procedures for handling ignitable, reactive, and incompatible wastes set forth in Procedures to Prevent Hazards, Permit Attachment 2; the Waste Analysis Plan, Permit Attachment 3; Part III of this Permit; the Contingency Plan, Permit Attachment 4 and as required by 6 CCR 1007-3, §264.17.
- II.G.2. The Permittee must take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste must be separated and protected from sources of ignition or reaction including but not limited to: open flames, smoking, cutting, and welding, hot surfaces, frictional heat, sparks (static, electrical, mechanical), incompatible chemicals or wastes, spontaneous ignition (e.g. from heat producing chemical reactions), and radiant heat. While ignitable or reactive waste is being handled, the Permittee must confine smoking and open flames to specifically designated locations. “No Smoking” signs shall be conspicuously placed wherever there is a hazard from ignitable or reactive waste. Smoking shall be confined to designated locations at all times. [6 CCR 1007-3 §264.17(a)]
- II.G.3. When storing ignitable or reactive waste, the Permittee must take precautions to prevent reactions which:
- Generate extreme heat or pressure, fire or explosions, or violent reactions;
  - Produce uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health or the environment;
  - Produce uncontrolled flammable fumes or gases in sufficient quantities to pose risk of fire or explosions;
  - Damage the structural integrity of the device or Facility;
  - Through other like means that threaten human health or the environment. [6 CCR 1007-3 §264.17(b)]

- II.G.4. The Permittee must document compliance with Permit Conditions II.G.2. and II.G.3. in the Operating Record. This documentation may be based on references to published scientific or engineering literature, data from trial tests (bench scale or pilot scale tests), or waste analysis. [6 CCR 1007-3 §264.17(c)]
- II.G.5. The Permittee must comply, at a minimum, with all applicable standards specified in NFPA 30 - Flammable and Combustible Liquids Code, 2012 Edition.
- II.G.6. The Permittee must follow the procedures for handling ignitable, reactive, and incompatible wastes set forth in Part III and Attachment 4 of this Permit.

## II.H. PREPAREDNESS AND PREVENTION

The Facility must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, surface or ground water which threaten human health or the environment. [6CCR 1007-3 §264.31]

### II.H.1. Required Equipment

At a minimum, the Permittee must provide at the facility the necessary equipment specified in Procedures to Prevent Hazards, Permit Attachment 2, Contingency Plan, Permit Attachment 4, and meet all other requirements of 6 CCR 1007-3, §264.32.

### II.H.2. Testing and Maintenance of Equipment

The Permittee must test and maintain the equipment specified in Permit Condition II.H.1 according to the frequencies and schedule described in the Procedures to Prevent Hazards, Attachment 2 of this Permit, and as required by 6 CCR 1007-3 §264.32, as necessary to assure its proper operation in time of emergency as required by 6 CCR 1007-3, §264.33. Documentation of this testing and maintenance must be maintained in the operation record.

### II.H.3. Access to Communications or Alarm System

II.H.3.a. The Permittee must maintain access to the communications and alarm system described in Procedures to Prevent Hazards, Permit Attachment 2, and meet all other requirements of 6 CCR 1007-3, §264.34.

II.H.3.b. Whenever hazardous waste is being poured or otherwise handled, all personnel involved in the operation must have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee. [6 CCR 1007-3 §264.34(a)]

#### II.H.4. Required Aisle Space and Roadways

II.H.4.a. At a minimum, the Permittee must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation, and as required by conditions set forth in Part III of this Permit. [6 CCR 1007-3, §264.35]

II.H.4.a.1. The Permittee must maintain aisle spaces of at least 3' between the unit walls and pallets of wastes, and between rows of palletized wastes in Permitted Units G203, G1009, G1107, G1109, and G1110.

II.H.4.a.2. In Permitted storage Building 540 the Permittee must maintain aisle spaces of at least 3' between the unit walls or berms and hazardous waste storage containers. Secondary aisle space at least 3 feet wide between each row must be maintained, with rows not wider than two drums or one 4-foot by 4-foot pallet.

II.H.4.b. The roadways to all permitted hazardous waste management areas must be maintained to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment in an emergency.

#### II.H.5. Arrangements with Local Agencies

II.H.5.a. The Permittee must maintain arrangements with state and local agencies, familiarizing the agencies with the properties of the hazardous wastes handled at the Facility. The Permittee must document a written agreement with each agency outlining the agencies' responsibilities should emergency services be required.[6 CCR 1007-3 §264.37]

II.H.5.b. The Permittee must maintain emergency response arrangements with the following agencies and meet all other requirements of 6 CCR 1007-3, §264.37.

- Pueblo Rural Fire Department
- Transportation Technology Center, Inc.
- U.S. Army, Fort Carson CO
- American Medical Response of Colorado, Inc.
- Boone Volunteer Fire Department
- St. Mary Corwin Hospital
- Parkview Episcopal Medical Center

- II.H.5.c. If the local agencies terminate or decline to enter into emergency response arrangements with the Permittee, the Permittee must document this termination or declination in the operating record, notify the Director in writing within 10 days specifying alternative emergency response arrangements, and comply with 6 CCR 1007-3, §264.31(b). [6 CCR 1007-3, §264.37(b)]

## II.I. CONTINGENCY PLAN

The Permittee must follow the procedures required by 6 CCR 1007-3, Part 264, Subpart D; the Contingency Plan, Permit Attachment 4; and the following requirements.

### II.I.1. Implementation of Plan

The Permittee must immediately carry out the provisions of the Contingency Plan, Permit Attachment 4, whenever there is a fire, explosion, release of hazardous waste or hazardous constituents that could threaten human health or the environment, or as specified in the Contingency Plan, Permit Attachment 4. [6 CCR 1007-3, §264.51(b)]

### II.I.2. Copies of Plan

The Permittee must keep a copy of the Contingency Plan and all revisions to the plan at the facility, and must submit the plan, with relevant maps and figures, to all local fire departments, hospitals, and local emergency response teams that may be called to provide emergency services. [6 CCR 1007-3, §264.53]

### II.I.3. Amendments to Plan

The Permittee must review and immediately amend, if necessary, the Contingency Plan as required by 6 CCR 1007-3, §264.54.

### II.I.4. Emergency Coordinator

A trained emergency coordinator must be available at all times in case of an emergency as required by 6 CCR 1007-3, §264.55.

### II.I.5. Reporting

The following occurrences shall be verbally reported to the Director within 5 days even if they do not exceed the thresholds defined in the Contingency Plan, Permit Attachment 4, for implementation of the Contingency Plan, and do not require reporting under Permit Condition I.E.18:

- Any fire or explosion.
- Any spill or release of hazardous waste or hazardous constituent outside of a permitted hazardous waste unit.
- Any spill or release of hazardous waste or hazardous constituent inside a secondary containment system.



## II.J. MANIFEST SYSTEM

The Permittee shall comply with the manifest requirements of 6 CCR 1007-3 Part 264, Subpart E, including §264.71 regarding the use of the manifest system, §264.72 regarding manifest discrepancies, and §264.76 regarding unmanifested waste reports.

## II.K. OPERATING RECORD

The Permittee shall maintain a written operating record at the facility in accordance with 6 CCR 1007-3, §264.73 and Part 264, Appendix I. At a minimum the following items must be maintained in the operating record:

- II.K.1. The quantity and a description of each hazardous waste received, and the date(s) of its storage in Building 540 and in Igloos G203, G1009, G1107, G1109, and G1110 as required by Part 264 Appendix I; [6 CCR 1007-3 §264.73(b)(1)]
- II.K.2. The location of each hazardous waste within the facility and the quantity at each location; [6 CCR 1007-3 §264.73(b)(2)]
- II.K.3. Records and results of waste analyses and waste determinations performed, and records of all samples and measurements taken for the purpose of monitoring; [6 CCR 1007-3 §264.73(b)(3)]
- II.K.4. Records and results of inspections as required by §264.15(d). These records need to be kept for three years; [6 CCR 1007-3 §264.73(b)(5)]
- II.K.5. Summary reports and details of all incidents that require implementing the contingency plan as specified in 6 CCR 1007-3, §264.56(j); [6 CCR 1007-3 §264.73(b)(4)] Within five days after an incident, the Permittee must submit a written report on the incident to the Department. The report must include:
  - Name, address, and telephone number of the Permittee
  - Name, address, and telephone number of the Facility
  - Date, time, and type of incident (e.g. fire, explosion, spill, release)
  - Type and quantity of material(s) involved
  - An assessment of actual and/or potential hazards to human health or the environment
  - Estimated quantity and disposition of recovered material that resulted from the incident
  - Remediation techniques and equipment employed
  - Duration of incident
  - Weather conditions at the time of the incident, including but not limited to, wind speed and direction, temperature, and precipitation
- II.K.6. After the Contingency Plan is implemented and upon resumption of operations at the Facility, the Emergency Coordinator shall notify all agencies as specified in



the Contingency Plan, which were contacted about the incident, and document the notification in the operating record.

II.K.7. The Permittee shall report to the Department any noncompliance with the Permit, which may endanger human health or the environment. Any such information shall be reported orally within 24 hours from the time the Permittee becomes aware of the circumstances. This report shall be documented in the operating record and shall include the following:

II.K.7.a. Information concerning the release from the site of any hazardous waste constituents via air, soil, surface water, or groundwater.

II.K.7.b. Information concerning the release or discharge of any hazardous waste, including but not limited to fire, explosion, spill, flood, precipitation events, escape of contaminated run-off, which could threaten human health or the environment outside the Facility. The description of the occurrence and its cause shall include:

- Name, address, and telephone number of the Permittee
- Name, address, and telephone number of the Facility
- Date, time, and type of incident
- Name and quantity of material(s) involved
- The extent of injuries, if any
- An assessment of actual and/or potential hazard to human health or the environment outside the Facility
- Estimated quantity and disposition of recovered material that resulted from the incident
- Remediation techniques and equipment employed
- Duration of incident
- Weather conditions including, but not limited to, wind speed and direction, temperature and precipitation

A written submission shall also be provided within 5 days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance (including exact dates and times); and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Permittee need not comply with the five-day written notice requirement if the Director waives the requirement and the Permittee submits a written report within fifteen days of the time the Permittee becomes aware of the circumstances. Documentation of the notification must be maintained in the operating record.

- II.K.8. A written program to reduce the volume or quantity and toxicity of the hazardous waste generated by the Permittee to the maximum degree determined by the Permittee to be economically practicable, and use treatment, storage, or disposal methods currently available to the Permittee which minimize the present and future threat to human health and the environment. The Permittee must certify annually in the operating record that the above described waste minimization practices are being implemented at the facility. [6 CCR 1007-3, §264.73(b)(9)]
- II.K.9. The Permittee must maintain, as part of the operating record, a written job description for each position listed in the Personnel Training Plan, Attachment 5, and a record of the individuals employed in each of those positions. These descriptions must include the requisite skill, education or other qualifications, and duties of employees assigned to each position.
- II.K.10. The Permittee shall maintain records that document that the training required by this Permit has been given to, and completed by the appropriate personnel. [6 CCR 1007-3 §264.16(d)(4)]
- II.K.10.a. The Permittee shall maintain as part of the Operating Record training records of current personnel until closure of the facility. The Permittee shall maintain training records for former employees for 3 years from the date the employee last worked at the facility.
- II.K.10.b. The Permittee must maintain training records of emergency response training or local emergency response agencies/individuals and document refusal by those agencies to take part in the training.
- II.K.11. Copies of all monitoring and measurements that are taken during the closure period including monitoring to determine the level of decontamination. The Permittee shall maintain copies of all closure notices, certifications, and documents required during the Closure Care period.
- II.K.12. Summary reports and details of all incidents that require the implementation of the contingency plan as specified in §264.56(j); [6 CCR 1007-3 §264.73(b)(4)]
- II.K.13. Documentation of termination of any arrangement with a local emergency response agency.
- II.K.14. The initial determination of the average concentration of volatile organic compounds in a container, plus any review and update of the determination.
- II.K.15. For wastes generated on-site which are stored at the Facility, the information contained in the notice, except for the manifest number, and the certification and demonstration if applicable, required by the generator or owner or operator under 6 CCR 1007-3 §267.8 or 40 CFR §268.8.

- II.K.16. All raw data, such as laboratory reports, drilling logs, bench-scale or pilot-scale data, and other supporting information gathered or generated during activities undertaken pursuant to activities conducted under Parts V and VI of this Permit.

## II.L. ADDITIONAL RECORD KEEPING AND REPORTING REQUIREMENTS

In addition to the record keeping and reporting requirements specified elsewhere in this Permit, the Permittee must comply with the following:

- II.L.1. The Permittee must comply with the biennial reporting requirements of 6 CCR 1007-3 §264.75
- II.L.2. Waste Minimization
- II.L.2.a. The Permittee must maintain a written program to reduce the volume or quantity and toxicity of hazardous waste generated by the Permittee to the maximum degree determined by the Permittee to be economically practicable, and use treatment, storage, or disposal methods currently available to the Permittee which minimize the present and future threat to human health and the environment. A copy of the waste minimization program will be maintained at the Facility as part of the operating record. [6 CCR 1007-3 §264.73(b)(9)]
- II.L.2.b. The Permittee must certify annually in the operating record that the above described waste minimization practices are being implemented at the Facility. The certification shall be submitted to the Department by December 31 of each year.
- II.L.3. The Permittee must also report to the Department:
- II.L.3.a. Releases, fires, and explosions as specified in this Permit and 6 CCR 1007-3 §264.56(j).
- II.L.3.b. Facility closures as specified in this Permit and 6 CCR 1007-3 §264.115.
- II.L.3.c. All reports otherwise required by 6 CCR 1007-3 §264 Subpart CC.
- II.L.3.d. Annual report information for the purpose of assessing facility annual fees in accordance with 6 CCR 1007-3 §100.31. [6 CCR 1007-3, §264.77]

## II.M. GENERAL CLOSURE REQUIREMENTS

- II.M.1. Performance Standard
- The Permittee must close the facility as required by 6 CCR 1007-3 Part 264, Subpart G, and in accordance with the Closure Plan, Permit Attachment 6.

II.M.2. Amendment to Closure Plan

The Permittee must amend the Closure Plan as needed in accordance with 6 CCR 1007-3, §264.112(c), following the modification procedures in §100.63.

II.M.3. Notice of Closure

The Permittee shall notify the Department at least 45 days prior to the date he expects to begin partial or final closure activities, as required by 6 CCR 1007-3, Section 264.112(d)(1).

II.M.4. Time Allowed for Closure

After receiving the final volume of hazardous waste, the Permittee must remove from the unit or facility all hazardous waste, and must complete closure activities in accordance with 6 CCR 1007-3, §264.113 and the schedules specified in the Closure Plan, Permit Attachment 6.

II.M.5. Disposal or Decontamination of Equipment, Structures, and Soil

The Permittee must decontaminate or dispose of all contaminated equipment, structures, and soil, as required by 6 CCR 1007-3, §264.114 and the Closure Plan, Permit Attachment 6. Adequacy of the nature and extent of the proposed investigation will be part of the Department's approval process.

II.M.6. Certification of Closure

The Permittee and an independent, qualified, Colorado-registered Professional Engineer must certify that the facility has been closed in accordance with the specifications in the Closure Plan, Permit Attachment 6 as required by 6 CCR 1007-3, §264.115. The certification must be submitted to the Department within 60 days after completion of partial or final closure.

II.N. LAND DISPOSAL RESTRICTIONS

The Permittee must comply with all applicable requirements of 6 CCR 1007-3, Part 268. Compliance includes but is not limited to the following:

II.N.1. The hazardous waste storage prohibitions specified in 6 CCR 1007-3, Part 268, Subpart E.

II.N.2. The marking requirements for owners and operators specified in 6 CCR 1007-3, § 268.50(a)(2).

The Permittee must not treat or ship off-site any land disposal restricted hazardous waste until the generator of the waste provides the Permittee with all applicable notification and certifications specified in 6 CCR 1007-3, § Section 268.7(a).